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5 Attorneys for Defendants
NICHOLAS A. PALAZZO; 4TA SPORTS, INC.;
6 NP VENTURES HOLDINGS, LLC; and
PLAY CALLER SPORTS GAMING LLC
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8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION**
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11 SECURITIES AND EXCHANGE
COMMISSION,

12 Plaintiff,

13 vs.
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NICHOLAS A. PALAZZO, 4TA SPORTS,
15 INC., NP VENTURES HOLDINGS, LLC, and
PLAY CALLER SPORTS GAMING LLC,
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17 Defendants.
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CASE NO. 5:24-cv-06602-EJD

**DECLARATION OF DANIEL C. SILVA IN
SUPPORT OF JOINT ADMINISTRATIVE
MOTION TO CONTINUE CASE
MANAGEMENT CONFERENCE**

Action Filed:	September 20, 2024
Current Initial CMC:	January 16, 2025
CMC Time:	10:00 a.m.
Judge:	Hon. Edward J. Davila
Trial Date:	Not Yet Set

DECLARATION OF DANIEL C. SILVA

I, Daniel C. Silva, declare as follows:

1. I am a shareholder with Buchalter, A Professional Corporation, and counsel for Defendants NICHOLAS A. PALAZZO; 4TA SPORTS, INC.; NP VENTURES HOLDINGS, LLC; and PLAY CALLER SPORTS GAMING LLC (“Defendants”). I am admitted to practice law in the state of California and before this Court.

2. I make this Declaration in support of the parties’ joint administrative motion to continue the Case Management Conference (“CMC”) pursuant to Civil Local Rules 6-1(b), 6-3, and 7-11. I have personal knowledge of the following facts and, if called as a witness, I could and would testify competently thereto.

3. On September 23, 2024, the Court entered an order setting the initial CMC for January 8, 2025 (ECF No. 5).

4. On September 27, 2024, the Court entered an order (ECF No. 15) rescheduling the Initial Case Management Conference set for January 8, 2025 to January 16, 2025 at 10:00 a.m., in San Jose, Courtroom 4, 5th Floor, before Judge Edward J. Davila.

5. On November 13, 2024, the parties stipulated to a briefing schedule on the Dismissal Motion providing that: Defendants shall file any motion seeking dismissal on or before February 7, 2025; Plaintiff shall file its opposition on or before February 28, 2025; and Defendants shall file a reply in support of the Motion on or before March 14, 2025; with a hearing on the Motion noticed for April 17, 2025.

6. The forthcoming motion to dismiss will seek to dismiss the Complaint in its entirety. Defendants will argue that the Complaint should be dismissed as a matter of law even accepting Plaintiff’s allegations as true. Therefore, no discovery will be necessary to adjudicate the motion to dismiss.

7. The SEC has informed Defendants that it does not oppose a motion to continue the CMC to the same day as the hearing on the motion to dismiss, April 17, 2025.

8. No previous time modifications in this case have been sought or granted, other than the stipulation on the briefing schedule for the motion to dismiss filed on November 14, 2024.

1 9. The time modification requested in the parties' joint administrative motion would
2 not have any significant effect on the schedule for this case, which has not yet been set beyond the
3 motion to dismiss.

4 I declare under penalty of perjury under the laws of the United States, that the foregoing is
5 true and correct, and executed on this 14 day of November 2024, at San Diego, California.

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8 DANIEL C. SILVA
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